

# SAVE STRAWBERRY CANYON

P.O. BOX 1234  
BERKELEY, CALIFORNIA 94701

*Save Strawberry Canyon is a citizens' group that seeks to preserve and protect the watershed lands and cultural landscape of Strawberry Canyon. Save Strawberry Canyon was formed out of the urgent need to take action in response to the threat of intrusive, inappropriate development on the Canyon lands.*

*Strawberry Canyon, opposite the Golden Gate, is a unique link to the East Bay Regional Park District lands and, by its streams and views, to San Francisco Bay. The Canyon itself with its streamside vegetation, oak-bay woodlands, grasslands, and surrounding slopes, is a rich repository of wildlife directly adjacent to the dense urban populations of the UC Berkeley Campus and the cities of Berkeley and Oakland.*

*Save Strawberry Canyon seeks to inform the public about the impacts of proposed developments, to encourage location of such developments to more suitable sites, and to promote better public access to the beautiful Canyon with its wildlife and scenic resources.*      Mission Statement

July 2, 2010

Bruce Wolfe, Executive Officer  
San Francisco Bay Regional Water Quality Control Board  
1515 Clay Street, Suite 1400  
Oakland, California 94612

Re: Request for Risk Assessment vis-à-vis Section X State Water Board Order No. 2009-0009-DWQ for Lawrence Berkeley National Laboratory (LBNL) Seismic Phase II Project, Construction General Permit (CGP) issued May 13, 2010

Dear Dr. Wolfe:

Per a letter received from Dorothy Rice, Executive Director, State Water Resources Control Board, dated June 8, 2010, Save Strawberry Canyon understands that in accordance with Section X State Water Board Order No. 2009-0009-DWQ, a recent CGP granted to LBNL for the Seismic Phase II Project may be rescinded if the San Francisco Bay Water Board deems it appropriate to evaluate issuance of an individual storm water construction/demolition permit. It is our request that the San Francisco Bay Water Board initiate such an assessment for the Seismic Phase II Project. We request, too, that your agency review Notices of Intent (NOI) for all LBNL projects going forward.

Matters of water quality, contamination, quantity, and release would seem to be of particular consequence at LBNL. It has only recently been recognized that the 200-acre site adjacent to the Hayward Fault is encircled by a collapsed

caldera within which there may be a deeply embedded residue of accumulated radioactive waste, volatile organic compounds and chemical solvents. In fact, it should be noted by your agency that in 1998 the Environmental Protection Agency determined that LBNL was eligible for listing on the National Superfund Priorities List, due to detection of tritium in the air, soil, groundwater, and surface water. In 2001 LBNL was administratively removed from the eligibility list without comment.

At this time, in light of the unique geological nature of the LBNL site and in light of LBNL's long-term association with the research of the Cold War years, we urge the San Francisco Bay Water Board to exercise the authority given it by Section X State Water Board Order No. 2009-0009-DWQ. It must be presumed that the entire LBNL site may pose a significant risk to the water quality of local, state, and national resources.

Thank you for your attention given to this request.

Sincerely,

Lesley Emmington Jones, for  
Save Strawberry Canyon

Cc:

Dorothy Rice, Executive Director, State Water Resources Control Board

Bruce Fujimoto, State Water Resources Control Board

Shin-Roei Lee, San Francisco Bay Water Board

Cherry Seward, San Francisco Bay Water Board

John Muller, Chair, San Francisco Bay Water Board

Carole Schemmerling, Strawberry Creek Watershed Council

Barbara Boxer, U.S. Senator

Diane Feinstein, U.S. Senator

Barbara Lee, Congresswoman, U.S. Congress

Keith Carson, Alameda County Supervisor

Kim Abbott, Department of Energy/LBNL

Gary S. Hartman, DOE ORO NEPA

Paul Alivisatos, Director, LBNL

Mark G. Yudof, President, University of California

Phil Stevens, Urban Creeks Council